

Chapter 20.67

Signs

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20.67.010 Purpose

The City of Newport Beach is a unique community located in an extraordinary environmental setting. Because of the need to protect and enhance the City's unique character and aesthetic standards, to protect public safety and property values, and to promote tourism through enhanced aesthetic appeal, the City Council finds that proper sign control is an important governmental interest. Therefore, the intent of the standards in this Chapter is as follows:

- A. Provide each sign user an opportunity for adequate identification while guarding against the excessive and confusing proliferation of signs by appropriately regulating the time, place, and manner under which signs may be displayed.
- B. Preserve and enhance the community's appearance by regulating the type, size, location, quality, design, character, scale, color, illumination, and maintenance of signs.
- C. Encourage signs that are well designed and that attract and invite rather than demand the public's attention.

- D. Encourage the design of signs that are complementary to the buildings and uses to which they relate and that are harmonious with their surroundings.
- E. Ensure freedom of expression for sign uses, including noncommercial speech, by maintaining a content-neutral approach to sign regulation.
- F. Enhance the safety of motorists and pedestrians by minimizing the distraction of intrusive signs, as well as to protect the life, health, property, and general welfare of City residents and visitors.
- G. Provide a review and approval process for signs to ensure compliance with the requirements of this Chapter.

20.67.020 Effect of Chapter

- A. Regulatory Scope. This Chapter regulates signs, as defined in this Chapter, that are placed on private property or on property owned by public agencies other than the City of Newport Beach and over which the City has zoning authority. Regulations for signs on public property are codified in Chapter 13.20 of the Municipal Code.
- B. Applicability. The regulations in this Chapter shall apply to all signs in all zoning districts that come within the regulatory scope as defined in Paragraph A, above, unless specifically exempted. In addition, the provisions of Chapter 15.16 relating to building codes, sign permits, fees, penalties, and a method of enforcement shall also apply. Applications for sign permits that comply with the requirements of this Chapter, and other applicable laws, shall be approved. Sign Permits shall be required in compliance with Section 20.67.100 (Procedures for Sign Approval, Exceptions, and Revocations). Where approval of a use permit, variance, Modification Permit, site plan review, or design approval has been obtained, any applicable conditions of that approval shall supersede the requirements of this Chapter.
- C. Sign Permit Required. A Sign Permit shall be required for all signs, including change of copy allowed under the provisions of this Chapter. In addition, signs that require a Sign Permit shall be subject to approval by the Planning Director, Zoning Administrator, or Planning Commission in conjunction with their sign approval authority. Only signs that comply with the provisions of this Chapter shall be approved. Additionally, the sign design guidelines that have been adopted by the City Council shall be applied to guide the Planning Director, Zoning Administrator, and/or Planning Commission in administering this Chapter. Content of a noncommercial message shall not be considered when any required sign permit application is reviewed. Content of a commercial message shall be considered only to the extent required to determine whether the sign is an

on-site sign. Refer to Section 20.67.100 (Procedures of Sign Approval, Exceptions, and Revocations) for Sign Permit requirements.

- D. Nonconforming Signs. An existing legally allowed sign that does not conform to the requirements of this Chapter shall be deemed a nonconforming sign and shall be subject to the requirements of Section 20.67.140 (Nonconforming Signs).
- E. Planned Community Districts. In Planned Community (PC) Districts, sign regulations contained in the planned community development plan shall supersede the requirements of this Chapter. If the planned community development plan does not provide regulations for a particular sign type or situation, the requirements of this Chapter shall prevail. Service station signs in Planned Community Districts shall be subject to the provisions of Section 20.67.080.(k)(2) (Service station signs) unless more restrictive sign regulations are contained in the planned community development plan.
- F. Santa Ana Heights Specific Plan. Signs proposed in the Santa Ana Heights Specific Plan area are subject to the provisions set forth in the Specific Plan document. The regulations contained in the Santa Ana Heights Specific Plan shall supersede the requirements of this Chapter.

20.67.030 General Provisions

The policies, rules and regulations stated in this section apply to all signs within the regulatory scope of this Chapter, and to all provisions of this Chapter, notwithstanding any more specific provisions to the contrary.

- A. Message Neutrality. It is the City's policy to regulate signs in a constitutional manner that is content neutral as to noncommercial messages and viewpoint neutral as to commercial messages.
- B. Regulatory interpretations. Interpretations of the requirements of this Chapter shall be exercised in light of the City's message neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a "structure" as defined in the California Building Code, then the Director shall approve, conditionally approve, or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.
- C. Substitution of Messages. Signs authorized by this Chapter are allowed to carry noncommercial messages in lieu of any other commercial or noncommercial messages. Substitution of messages may be made without additional approval or permitting process. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent an inadvertent favoring of commercial speech over noncommercial speech, or

favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.

- D. Rules For Non-Communicative Aspects Of Signs. Rules and regulations concerning the non-communicative aspects of signs, (e.g., type, location, size, height, illumination, spacing orientation, etc.), stand enforceable independently of any permit or approval process.
- E. Multiple Use Zones. In a zone where both residential and non-residential uses are allowed, the signage rights and responsibilities applicable to a particular use shall be determined as follows: residential uses shall be treated as if they were located in the residential area where that type of use would be allowed as a matter of right, and non-residential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a Conditional Use Permit or similar discretionary process.
- F. Billboard Policy. The City completely prohibits the construction, erection or use of billboards, other than those that legally exist in the City, or for which a valid permit has been issued and has not expired, as of the date on which this provision was first adopted. The City adopts this policy in compliance with California Government Code section 65850, California Business and Professions Code sections 5354(a) and 5408.3 (both effective January 1, 2003). Permits shall not be issued for billboards that violate this policy, and the City will take immediate abatement action against billboards constructed or maintained in violation of this policy. The City Council affirmatively declares that it would have adopted this billboard policy even if it were the only provision in this Chapter. The City Council intends for this billboard policy to be severable and separately enforceable even if other provisions of this Chapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid, or unenforceable. This provision does not prohibit agreements to relocate existing, legal billboards, as encouraged by California Business and Professions Code section 5412.
- G. Property Owners' Consent. Signs shall not be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and all parties and persons holding a present right to possession, control, or use of the property.
- H. Legal Nature Of Signage Rights And Duties. As to all signs attached to property, real or personal, the signage rights, duties and obligations arising from this Chapter attach to and travel with the land or other property on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases, mutual covenants or equitable servitudes regarding signs (so long as they are not in conflict with this Chapter),

or the ownership of sign structures.

- I. Sign Programs. Sign programs (comprehensive, innovative), voluntarily proposed for specific developments and Planned Communities, as well as special sign districts or special sign overlay zones, when approved by the Zoning Administrator and/or Planning Commission may modify the rules provided in this Chapter as to sign size, height, illumination, spacing, orientation, or other non-communicative aspects of signs, but may not override or modify any of the General Provisions in this section. All of the provisions of this section shall automatically apply to and be deemed a part of any sign program approved after the date on which this provision is initially adopted.

20.67.040 Definitions

For purposes of this Chapter, the following definitions shall apply:

A-Frame Sign. A freestanding portable sign typically constructed of wood, metal, or plastic. Such signs are usually small and are removed at the close of business. Typically hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter A.

Abandoned Nonconforming Sign. A nonconforming sign that is advertising a use that has ceased or is located upon a structure that has been abandoned by its owner, for more than 90 days.

Abandoned Sign. A sign that is advertising a use that has ceased; is located upon a structure that has been abandoned by its owner; does not identify or advertise a current bona fide business, lessor, service, owner or product available upon the site; or that identifies or advertises an event or activity that has occurred.

Animated Sign. A sign that uses movement, lighting, or special materials to depict action or create a special effect or scene. This classification includes wind-actuated and other elements such as balloons, bunting, pennants, streamers, whirligigs, or other similar devices.

Awning. A roof-like structure usually covered in fabric (e.g., canvas) that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Awning Sign. A sign painted on, printed on, or attached to the surface of an awning.

Back-lit Awning. An internally illuminated, fixed, space-frame structure with translucent, flexible, fabric reinforced covering designed in awning form and with graphics or copy applied to the visible surface of the awning.

Banner Sign. A sign made of fabric or any nonrigid material with no enclosing framework.

Billboard. A permanent structure used for the display of offsite commercial messages.

Building Frontage. The building elevation that fronts on a street, alley, driveway, parking area, pedestrian plaza, walkway, courtyard, arcade, or waterway.

Building Frontage, Primary. The building frontage that is designated by an applicant as the "primary frontage" for the purpose of determining the applicable sign standards and that does not face a residential district.

Building Frontage, Secondary. The building frontage that is designated by an applicant for a Sign Permit as a "secondary frontage" for the purpose of determining the applicable sign standards, and that does not immediately face a residential zoning district.

Building Sign. A sign attached to or painted on a building.

Building Marker. A sign indicating the name of a building and date and incidental information about its construction, which is cut into a masonry surface or made of bronze or other permanent material.

Cabinet Sign. A sign that has one or more plastic, acrylic, or similar material faces (panels) that may or may not be internally illuminated. The sign panels may be either flat or shaped ("pan face") and are attached to a metal frame (cabinet).

Canopy Sign. A sign located on a permanent roof-like structure or canopy of rigid or fabric materials extending from the main entrance of a building.

Changeable Copy Sign (electronic). A sign with changeable copy that is changed by incorporating video display, flip-disks, incandescent lamps, fluorescent lamps, fiber optics, light-emitting diodes, liquid crystal displays, plasma-displays, field emission displays, or any other mechanical or light-emitting matrix to convey changing copy or images. Also considered an animated sign.

Changeable Copy Sign (manual). A sign with changeable copy that is manually changed, regardless of method of attachment or materials of construction. This classification includes bulletin boards, and changeable copy signs on marquees. Does not include electronic message boards with lighted displays.

Commercial Mascot. Humans or animals used as advertising devices for commercial establishments, typically by the holding or wearing of insignia, masks or costumes associated with or advertising the commercial establishment. Includes sign twirlers, sign clowns, etc.

Commercial Message. A message displayed on a sign that relates primarily to economic interests such as the exchange of goods or services. This definition shall automatically incorporate court rulings defining the term "commercial speech."

Construction Project Sign. A temporary sign displayed on the site of a construction project during the period of construction that provides information about the project, which may contain the names of architects, landscape architects, engineers, and contractors working on the project, future tenants, finance institutions, real estate representatives, and similar persons/organizations involved in the project begins with the issuance of a building permit, or its functional equivalent, and ends with the issuance of the earliest of the following: a certificate of completion, a certificate of occupancy, a final inspection sign-off, or the functional equivalent of any of them.

Copy. The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

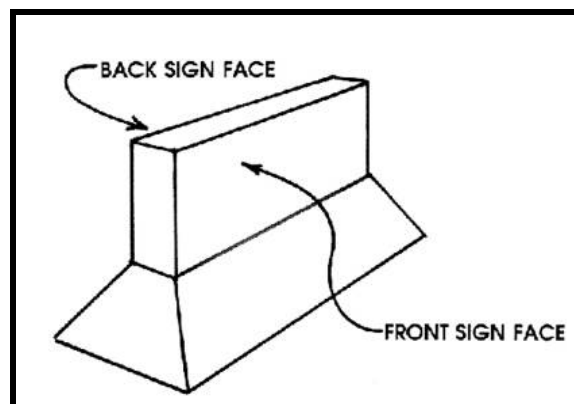
Department. The Planning Department of the City of Newport Beach.

Directional Sign. An on-premise sign giving directions, instructions, or facility information of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

Directory Sign. A sign listing the tenants or occupants of a building or building complex.

Display Surface. The area made available by the sign structure for the purpose of displaying the advertising message.

Double-Faced Sign. A sign designed with the intent of providing copy on both sides.



Electrical Raceway. A utilitarian metal channel used for the electrical components of an illuminated sign; and not designed as an architectural feature.

Establishment. A legal, nonresidential use of land to conduct a commercial or noncommercial activity. By way of example and not limitation, “establishment” includes stores, offices, churches, hospitals, manufacturing facilities, etc. Does not include home-based occupations or hobbies.

Externally Illuminated Sign. A sign illuminated from an exterior light source.

Façade. The entire building elevation, including the parapet.

Face of Sign. The area of a sign on which the copy is placed.

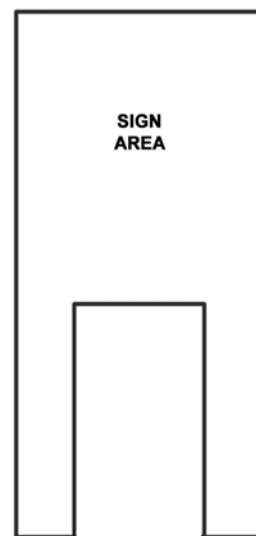
Facia. Typically, the smooth wall surface between a window and the parapet.

Flag. A rectangular piece of fabric of distinctive design that is used as a symbol, as a signage device, or as a decoration.

Freestanding Sign. A sign supported permanently upon the ground by a structure and not attached to a building. This includes pylon signs, blade signs, and ground-mounted signs (monument signs).



**Freestanding Monument
Sign**



Freestanding Pylon Sign

Frontage, Street. The length of the property line of a parcel along a right-of-way on which it borders.

Fuel Price Sign. A sign containing prices and grades of fuel for sale at a service station.

Future Tenant Sign. A sign identifying a building tenant or occupant that has not yet occupied the building or opened its establishment.

Illegal Sign. A sign that does not meet the requirements of this chapter and that is not a legal

nonconforming sign.

Illuminated Sign. A sign with an artificial light source for the purpose of decorating, outlining, accentuating, or brightening the sign area.

Innovative Sign. A sign that incorporates design elements, objects, shapes, materials or techniques that may cause the sign to not conform to certain dimensional or placement requirements of this Code, approval of which is subject to meeting the objective criteria described in Section 20.67.130 (Innovative Sign Program), below.

Internally Illuminated Sign. A sign illuminated from an interior light source contained within the sign cabinet.

Incidental Sign. A small sign, emblem, or decal informing the public of the facilities, trade affiliation, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business or presence of parking.

Indirectly Illuminated Sign. A sign whose illumination is derived entirely from an external artificial source that is arranged to illuminate the sign area only.

Inflated Display Sign. A three-dimensional object filled or activated by moving or non-moving air or other gas, located, attached, or tethered to the ground, site, merchandise, structure, or roof and used as a sign or to attract attention. This definition does not include inflated gymnasium devices commonly used for children's parties.

Logo. A sign consisting of a trademark or symbol used to identify a business.

Luminous Tube Signs. A sign that consists of or is illuminated by exposed electrically-charged gas-filled tubing, such as neon and argon signs, or by fiber optics.

Monument Sign. A freestanding sign supported by a solid architectural element at its base.

Multiple Family Structure. A residential structure containing 3 or more living units.

Mural. An artistic image or design painted or affixed to the exterior surface of a structure that does not contain a commercial or noncommercial text or message.

Nameplate. A sign indicating the name and/or address of a building or occupant.

Nonconforming Sign. A sign, outdoor advertising structure, or display that was originally lawfully erected and maintained, but which does not conform to the current standards of this chapter or is now prohibited. Signs that do not conform with the current standards of this chapter or are now prohibited but were erected pursuant to an approved variance, Modification Permit, Conditional Use Permit and/or the Comprehensive Sign Program do not fall within the definition of nonconforming signs.

Noncommercial Message. A sign message that is not commercial in nature. This definition

shall automatically incorporate court rulings defining the term “noncommercial speech.”

Off-site Message. A message on a sign that advertises a business, accommodation, service, or activity not provided on the premises on which the sign is located. This classification includes billboards. The off-site/on-site distinction applies only to commercial messages.

On-site Message. A message on a sign advertising the business, accommodations, services, or activities provided on the premises on which the sign is located. The off-site/on-site distinction applies only to commercial messages.

Painted Wall Sign. A sign that is applied with paint or similar substance on the surface of a wall, including fences.

Parapet. The extension of a false front or wall above a roofline.

Pedestrian Sign. A sign designed to be viewed at a pedestrian level.

Permanent Sign. A sign designed with durable materials and intended to be used in excess of 60 days per calendar year.

Planning Director. For purposes of this Section only, the Director of the City’s Planning Department, or the Director’s designee.

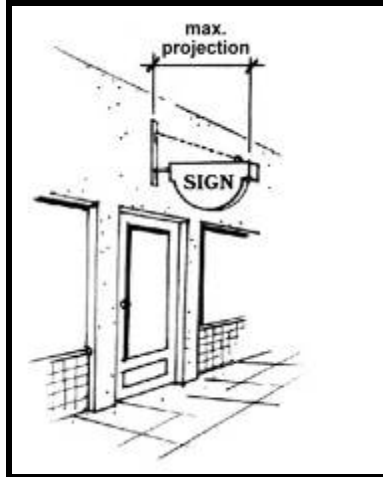
Pole Sign. A sign that is supported by a single pole or similar support structure so that the bottom edge of the sign is one foot or more above grade.

Portable Sign. Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

Projector Sign. A sign that is projected onto a surface using an intense source of illumination to project the image.

Projecting Sign. A sign that projects from and is supported by a wall of a building.

Projection. The distance by which a sign extends from the building it is supported by.



Projection

Promotional Temporary Banner. A temporary sign or banner displayed by an establishment to advertise events such as sales, seasonal events, liquidation sales, and going out of business sales.

Public Service Sign. Signs of utilities or other publicly regulated service providers indicating danger, and similar aids to service or safety, including official advisory and signal flags.

Pylon Sign. A sign that is supported by two or more uprights, poles, or braces in or upon the ground that are not a part of a building or enclosed within the exterior walls of a building and are separated from any other structures by a distance of at least 6 inches. This includes a sign that is supported by two or more poles that are surrounded by a decorative cover to form one solid sign support.

Real Estate Sign. A sign advertising real property for sale, exchange, lease, or rent, but not including signs advertising transient occupancy, such as hotel or motel accommodations.

Residential Name or Identification Sign. A sign identifying the name or address of a residence and/or its occupants.

Restaurant Menu Sign. Menus displayed on the exterior premises of a restaurant, visible from the public right of way.

Rider. A small sign attached to a larger sign and intended to convey information not conveniently incorporated into the text of the larger sign.

Roof Line. The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

Roof Sign. A sign erected upon or above a roof of a building.

Sign. Any device, fixture, placard or structure, including its component parts, that draws attention to an object, product, place, activity, opinion, person, establishment, institution, organization, or place of business, or that identifies or promotes the interests of any person and

that is to be viewed from any public street, road, highway, right-of-way or parking area.

The following are *not* within the definition of “sign” for regulatory purposes of this Chapter:

- a. Interior signs. Signs or other visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof or located at least five feet from the window, provided the building or enclosed structure is otherwise legal;
- b. Architectural features. Decorative or architectural features of buildings (not including lettering, logos, trademarks, or moving parts);
- c. Symbols embedded in architecture. Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure or a permanent building that is otherwise legal; also includes foundation stones, corner stones and similar devices;
- d. Manufacturers’ marks. Marks on tangible products that identify the maker, seller, provider or product, and that customarily remain attached to the product even after sale;
- e. Fireworks and other lights. The legal use of fireworks, candles and artificial lighting not otherwise regulated by this Chapter.
- f. Newsracks or newsstands.
- g. Legally required information, such as public notices, registration or licensing information, etc.
- h. Murals.

Sign Structure. The sign, and the supports, uprights, braces, and framework of the sign.

Service Station. An establishment that offers for sale or sells gasoline or other motor vehicle fuel to the public.

Super Graphic. Images, graphic elements, and logos, including required corporate logos, that are affixed to or painted on a structure, that may not be the textual portion of a sign.

Temporary Sign. A sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, fabric, cardboard, wall board, or other light nondurable materials, with or without frames, designed to be displayed for a limited period of time.

Tenant Frontage. That portion of a multi-tenant building facade that is devoted to a single

tenant.

Valance. The part of an awning that hangs vertically down from the shed (sloped) portion of an awning.

Vehicle Sign. A sign painted, affixed, or placed upon a vehicle, or trailer that is designed to be towed behind a vehicle. On street legal vehicles, the following insignia are not considered to be “Vehicle Signs,” and are not regulated as Vehicle Signs:

- a. License plates.
- b. License plate frames.
- c. Registration insignia.
- d. Noncommercial messages painted on or otherwise attached in a manner such that the vehicle can be legally operated on public rights-of-way, or any noncommercial message that does not exceed a total of three square feet in size.
- e. Messages on a vehicle the primary purpose of which is to be used in the regular course of business to transport the personnel or products, or to provide the services (not including general advertising) that are advertised by the messages on the vehicle, provided that the messages are painted or otherwise attached in a manner such that the vehicle can be operated on public rights-of-way.
- f. Commercial messages that do not exceed a total of three square feet in size.
- g. Commercial messages on duly licensed mass transit vehicles that pass through the City.

Wall Sign. A sign attached to, erected against or painted upon the wall of a building or structure, the face of which is in a single plane parallel to the plane of the wall.

Window Sign. A sign that is applied or attached to a window or located within 5 feet of the inside of a window in manner that it can be seen from the exterior of the structure.

20.67.050 Prohibited Signs

The following signs and sign types shall be prohibited throughout all zoning districts of the City.

- A. Painted Signs. Painted signs on fences or roofs except addresses.
- B. Hazardous Location. Signs located in a manner that the sign or a portion of the sign or sign supports interfere with the free use of a fire escape, exit or standpipe, or obstruct a required door, stairway, ventilator, window, or public way or are

otherwise hazardous.

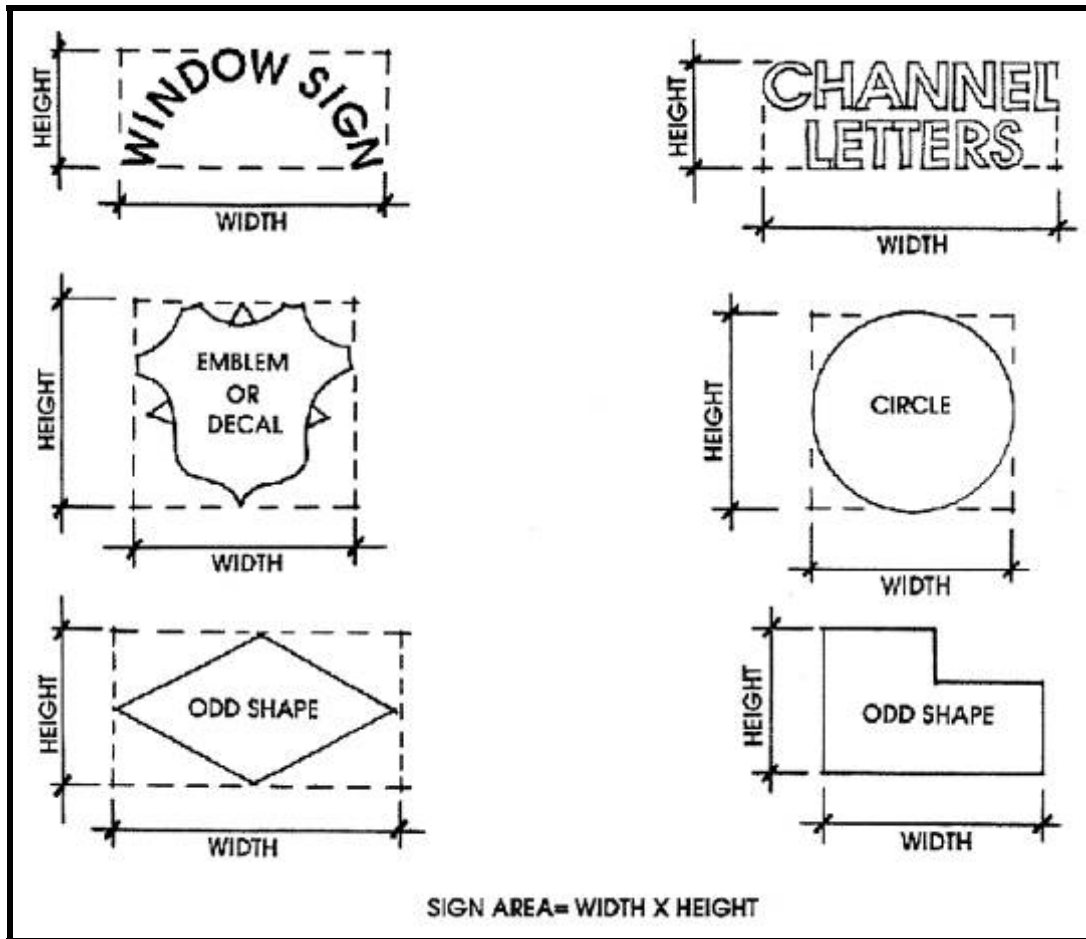
- C. Signs With Off-Site Commercial Messages. Signs shall not advertise a business, accommodation, service or activity not provided on the premises on which the sign is located. The off-site/on-site distinction shall only apply to commercial messages.
- D. Beams of Light. No person shall erect or maintain any device that directs a beam of light, including klieg lights and searchlights, in a flashing sequence toward any street or highway, nor shall any person erect or maintain any illuminated sign or similar device that interferes with the visibility of any official traffic control device or warning signal.
- E. Luminous Tube Lighting (E.G., Neon, Rope Lighting). Luminous tube lighting shall not be used to outline or frame doors and/or windows.
- F. Prohibited Sign Types:
 - 1. A-frame signs.
 - 2. Animated signs.
 - 3. Changeable copy signs, except as a component of another type sign allowed through the Comprehensive Sign Program.
 - 4. Commercial mascots.
 - 5. Inflated display signs.
 - 6. Pole signs.
 - 7. Roof signs, unless a variance is granted.
 - 8. Vehicle signs, subject to the definition of Vehicle Signs in 20.67.040 (Definitions), above.

20.67.060 Provisions Applying to All Sign Types

- A. Compliance Required. No person shall erect, re-erect, construct, enlarge, alter, change copy, repair, move, improve, remove, convert, or equip any sign or sign structure, or paint a new wall sign, in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of the Zoning Code.
- B. Uncertainty of Chapter Provisions. The Planning Commission shall have the authority to interpret the provisions of this Chapter at the request of the Planning

Director, or when an appeal for a decision of the Planning Director is filed with the Planning Commission in compliance with Section 20.95 of this Chapter.

- C. Sign Construction. All signs that are not temporary signs shall be constructed of permanent materials, including but not limited to metal, wood, acrylic, or other comparable durable weatherproof materials. No material more combustible than treated wood shall be used in the construction of any permanent sign.
- D. Sign Area Computation.
1. The allowed sign area for a building sign is calculated by first determining if the sign is to be placed on a “primary” or “secondary” building/tenant frontage (as defined in this Chapter) and then referring to the tables in Section 20.67.070 (Standards for Permanent Signs). The allowed sign area for a freestanding sign is determined by the number of linear feet of the street frontage where the sign is to be placed in compliance with the tables in Section 20.67.070.
 2. The entire area contained within the frame, cabinet, fixture, or design, including all ornamentation, super graphics, or other decoration used to attract attention that can be enclosed in no more than 4 lines drawn at right angles shall be included in the measurement of sign area. In the case of “skeleton” or “cut-out” letters or signs placed on a wall without any borders, the sign area shall be the sum of the area of all letters, words, logos, or symbols within a single continuous perimeter with no more than 4 lines drawn at right angles (square or rectangle). (See Illustration Below.)



Sign Area

3. Only one face of a double-faced sign shall be counted in computing the permitted area of the sign. Double-faced (back-to-back) signs shall be regarded as a single sign when the sign is mounted on a single structure, and the distance between each sign face does not exceed 2 feet at any point. If the sign is multi-faced, then each face shall be counted in computing the permitted area of the sign.
4. Supporting framework or bracing that is clearly incidental to the sign shall not be computed as sign area.
5. Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane. Signs may not contain three-dimensional objects that exceed a projection of 6 inches from the sign face, unless such signs are allowed as part of an approved Innovative Sign Program.

E. Sign Height Measurement. The height of a sign shall be measured from the

highest part of the sign, including any decorative features, to the grade of the adjacent street or the surface grade beneath the sign, whichever the Director determines is appropriate given the physical characteristics of the site.

- F. Maximum Letter/Logo Height. The maximum height of any letter, text, logo, or symbol shall be 36 inches.
- G. Sign Removal Or Replacement. When a sign is removed, all brackets, poles, and other structural elements that supported the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the building.
- H. Illuminated Signs And Lights. The following standards shall apply to all illuminated signs:
 - 1. Sign illumination shall not interfere with the use and enjoyment of adjacent properties, create a public nuisance, or create public safety hazards. Exterior light sources shall be shielded from view and directed to illuminate only the sign face.
 - 2. Signs may be internally or externally illuminated. Internal illumination is permitted only if the sign background is opaque and the only portion of the sign that appears as illuminated is the actual lettering and/or a registered trademark or logo.
 - 3. The light from an illuminated sign shall not be of an intensity or brightness or directed in a manner that will create a negative impact on residential properties in direct line of sight to the sign including signs that face Newport Bay.
 - 4. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
 - 5. Reflective-type bulbs and incandescent lamps that exceed 15 watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property.
 - 6. Light sources shall utilize energy-efficient fixtures to the greatest extent possible.
 - 7. Each illuminated sign shall be subject to a 30-day review period, during which time the Planning Director may determine that a reduction in illumination is necessary due to negative impacts on surrounding property or the community in general. In addition, and at any time, the Planning Director may order the dimming of any illumination found to be excessively bright. The Director's determination will be made without regard to the message content of the sign.

20.67.070 Standards for Permanent Signs

Table 1 provides regulations for permanent signs in residential, nonresidential, institutional, and open space zoning districts. References in the last column provide additional regulations for specific sign types located elsewhere in this Chapter. In the case of an inconsistency between regulations provided in the tables and regulations provided for specific sign types, the regulations for specific sign types shall take precedence.

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A. Signs allowed in residential zoning districts.

TABLE 1

Sign Class	Allowed Sign Types	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed	Additional Requirements
Name plate Single-family uses	Wall	One per single-family use	2 sq. ft.	Below eave of roof or parapet	Near main entrance	Internal only	Address only
Identification sign Multi-family uses	Wall or ground sign	One per multi-family use	12 sq. ft.	Below eave of roof or parapet for wall sign	Near main entrance	Yes	Cabinet signs not allowed
Residential community identification signs	Wall or ground	2 per primary entrance	40 sq. ft. total	6 ft	At primary entrances to residential community	Indirect only	Cabinet signs not allowed

B. Signs allowed in commercial, industrial zoning districts.

Table 1 (continued)

Sign Class	Allowed Sign Types	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed	Additional Requirements
1. On-site sign.	Freestanding signs. Permitted on sites with minimum 50 ft. of frontage.	One freestanding sign allowed per site. May be used in combination with other allowed building signs. Additional signs for sites with more than 300 linear feet of street frontage through the approval of a Comprehensive Sign Program.	1.0 sq. ft. of sign area per lineal foot of primary street frontage, 75 sq. ft. max per sign	Not to exceed 20 ft. in height for pylon signs, or 8 ft. for monument signs.	Located on street frontage only. At least 15 feet from any building sign and 50 feet from any freestanding sign on an adjacent site.	Yes	See 20.67.080 for sign standards for freestanding signs.
2. On-site sign. Primary frontage.	Building signs. Wall, projecting, window, and awning signs. Roof sign only with variance.	One sign per primary building or tenant frontage. May be wall, projecting, window, or awning signs. ⁽¹⁾ Second story, window or awning signs only. ⁽²⁾	1.5 sq. ft. of sign area per lineal foot of primary building frontage or tenant frontage total for any combination of building signs and window signs. 75 sq. ft. maximum sign area per sign. 20 sq. ft. max for projecting signs. Window signs, 20% max of each window area.	Shall not extend above adjacent parapet or roof or above bottom of lowest second-story window or third-story window for projecting signs. ⁽²⁾		Yes	See 20.67.060 for sign standards by sign type

Table 1 (continued)

Sign Class	Allowed Sign Types	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed	Additional Requirements
3. On-site sign. Secondary frontage.	Building signs. Wall, projecting, window, and awning signs	One sign per secondary building or tenant frontage. May be wall, projecting, window, or awning sign. ⁽¹⁾ Second story, window or awning signs only. ⁽²⁾	50% of sign area allowed for primary building frontage total for any combination of building signs. 10 sq. ft. max for projecting signs Window signs, 25% max of each window area.	Shall not extend above adjacent parapet or roof or above bottom of lowest second story window or third-story window for projecting signs ⁽²⁾		Yes	See 20.67.080 for sign standards by sign type
4. On-site sign. Pedestrian oriented sign.	Building signs. Flush-mounted or projecting.	One per establishment. Allowed in combination with other building signs.	3 sq. ft. of sign area.	10 ft. Maximum. 8 ft. of clearance below bottom of projecting sign.	Near main entrance and oriented to pedestrians. Not above 10 ft.	No	See 20.67.080 for sign standards by sign type
5. On-site sign. Entry canopy sign	Canopy sign	Two per canopy if both are not visible at the same time.	Shall be part of and shall not exceed limitation of entry canopy.	Not above upper most part of canopy.	Signs shall be placed on outer faces of canopy only.	No	
6. Business directory. Multi-tenant site	Wall or ground sign	One per multi-tenant site.	8 sq. ft. of sign area.	8 ft.	Near main entrance and oriented to pedestrians.	No	See 20.67.080 for sign standards by sign type

⁽¹⁾ The number of allowed building-mounted signs is one per primary frontage and one per secondary frontage. Building signs include wall, projecting, window, and awning signs. All other signs (i.e., pedestrian oriented signs, entry canopy signs, multi-tenant directory signs, and temporary signs are not included in this restriction.

⁽²⁾ Wall signs are allowed for multi-tenant buildings for second story occupancies with exterior entrances.

C. Signs allowed in open space, GEIF (government, education, institutional facilities) zoning districts.

Table 1 (continued)

Sign Class	Allowed Sign Types	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed	Additional Requirements
1. On-site sign.	Freestanding signs. Permitted on sites with minimum 50 ft. of frontage.	One freestanding monument sign allowed per site. May be used in combination with other allowed building signs. Additional signs for sites with more than 300 linear feet of street frontage through the approval of a Comprehensive Sign Program.	1.0 sq. ft. of sign area per lineal foot of primary street frontage, 75 sq. ft. max per sign	8 ft.	Located on street frontage only. At least 15 feet from any building sign and 50 feet from any freestanding sign on an adjacent site.	Yes	See 20.67.080 for sign standards for freestanding monument signs.
2. On-site sign. Primary frontage.	Building signs. Wall and awning signs.	One sign per primary building frontage. May be wall or awning signs. ⁽¹⁾ Second story awning signs only. ⁽²⁾	1.0 sq. ft. of sign area per lineal foot of primary building frontage or tenant frontage total for any combination of building signs and window signs. 50 sq. ft. maximum sign area per sign.	Shall not extend above adjacent parapet or roof or above bottom of lowest second-story window.		Yes	See 20.67.080 for sign standards by sign type

Table 1 (continued)

Sign Class	Allowed Sign Types	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed	Additional Requirements
3. On-site sign. Secondary frontage.	Building signs. Wall and awning signs	One sign per secondary building frontage. May be wall or awning sign. ⁽¹⁾ Second story awning signs only. ⁽²⁾	50% of sign area allowed for primary building frontage total for any combination of building signs.	Shall not extend above adjacent parapet or roof or above bottom of lowest second story window ⁽²⁾		Yes	See 20.67.080 for sign standards by sign type
4. On-site sign. Pedestrian oriented sign.	Building signs. Flush-mounted or projecting.	One per establishment. Allowed in combination with other building signs.	3 sq. ft. of sign area.	10 ft. Maximum. 8 ft. of clearance below bottom of projecting sign.	Near main entrance and oriented to pedestrians. Not above 10 ft.	No	See 20.67.080 for sign standards by sign type
5. On-site sign. Entry canopy sign	Canopy sign	Two per canopy if both are not visible at the same time.	Shall be part of and shall not exceed limitation of entry canopy.	Not above upper most part of canopy.	Signs shall be placed on outer faces of canopy only.	No	
6. Directory sign	Wall or ground sign	One per multi-tenant site.	8 sq. ft. of sign area.	8 ft.	Near main entrance and oriented to pedestrians.	No	See 20.67.080 for sign standards by sign type

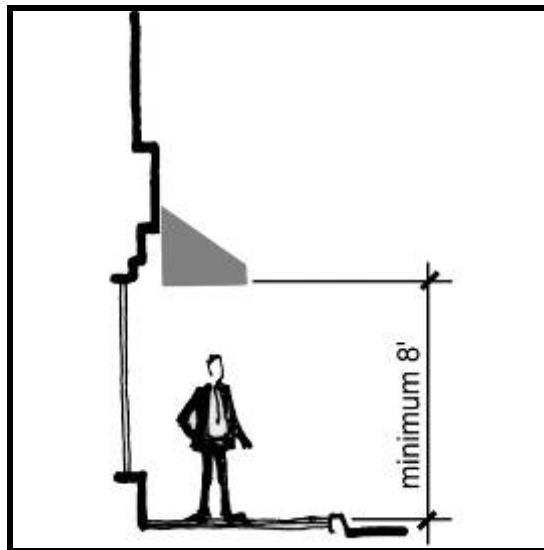
(1) The number of allowed building-mounted signs is one per primary frontage and one per secondary frontage. Building signs include wall, projecting, window, and awning signs. All other signs (i.e., pedestrian oriented signs, entry canopy signs, multi-tenant directory signs, and temporary signs are not included in this restriction.

(2) Wall signs are allowed for multi-tenant buildings for second story occupancies with exterior entrances.

20.67.080 Standards for Specific Types of Permanent Signs

A. Awning Signs.

1. Lettering, logos, symbols, and graphics are allowed on up to 50 percent of the area of a shed (slope) portion of the awning and valance portion of the awning. Signs shall be applied flat against the awning surface. In the case of a barrel shaped (curved) awning, signs shall not occupy more than 60 percent of the bottom 12 inches of the awning.
2. Only permanent signs that are an integral part of the awning shall be allowed. Temporary signs shall not be placed on awnings.
3. Awning signs shall be allowed for first and second story commercial occupancies only.
4. Awnings shall conform to the size and shape of the window or door they are above. Overly large awnings and awnings with unusual shapes designed for the purpose of providing additional sign area are not allowed. The upper most part of an awning shall not be located more than 2 feet above a window or door.
5. Awnings shall not be lighted from under the awning (back-lit awning) so that the awning appears internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.
6. A minimum of 8 feet of clearance shall be provided between the lowest part of an awning and the grade below.



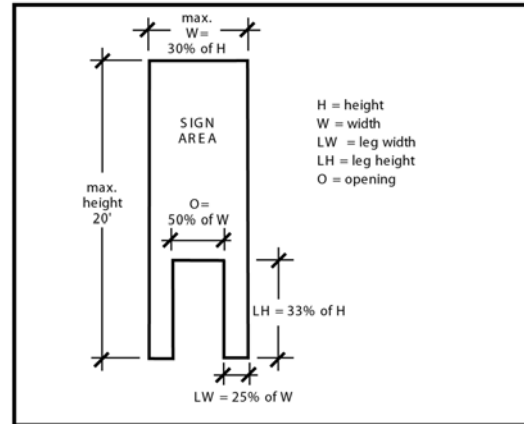
Required Clearance Below Awning

- B. Changeable Copy Signs. A sign that contains a changeable copy element may be permitted through the approval of a Comprehensive Sign Program in compliance with Section 20.67.120 (Comprehensive Sign Program) provided the changeable copy element is a component of another sign type permitted under the provisions of this Chapter. Approval shall not be based on message content.
- C. Freestanding Signs.
1. Freestanding signs include ground-mounted signs (monument) and pylon signs, which may either have a solid base or a base comprised of two legs. If legs are provided, the proportional dimensions of the sign shall comply with the requirements of subsection 3.c., below.
 2. Freestanding signs shall be allowed only for parcels with at least 50 feet of frontage adjoining a public street. In addition, pylon signs are only allowed when a building is set back from the front property line a minimum of 40 feet.
 3. Freestanding signs shall not exceed the following maximum height dimensions and shall not exceed the proportional dimensions provided below:
 - a. Pylon sign: Maximum height = 20 feet
 - b. Monument sign: Maximum average height = 6 feet; Maximum overall height = 8 feet, including decorative elements and architectural features
 - c. Proportional dimensions shall be as follows:

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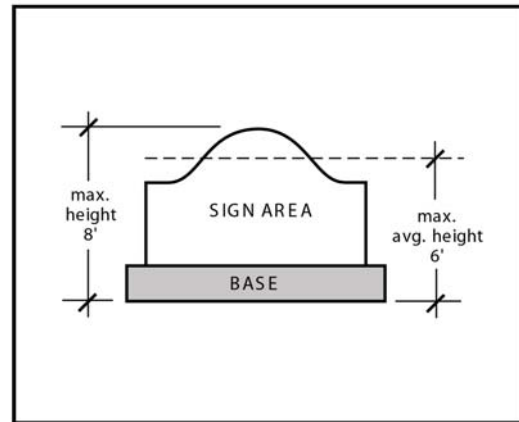
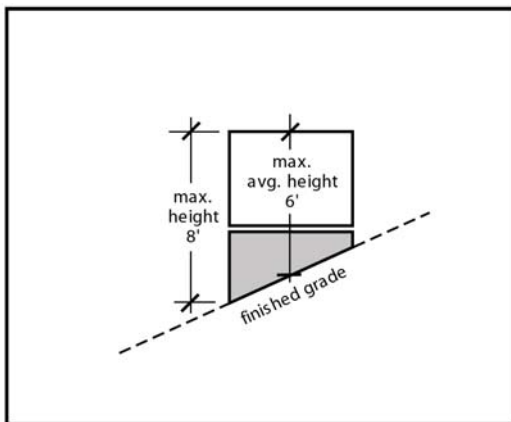
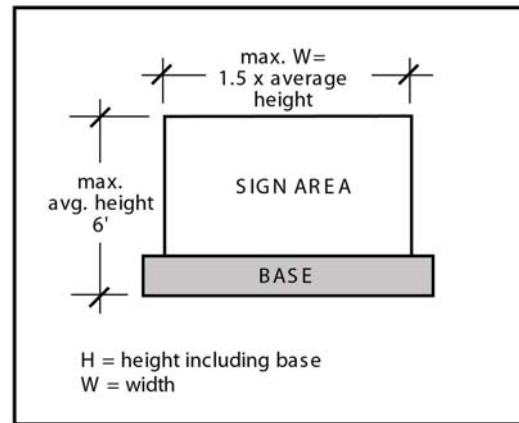
1) Pylon Sign

Maximum $W = 30\% \times H$
Maximum $LH = 33\% \times H$
Maximum $O = 50\% \times W$
Minimum $LW = 25\% \times W$

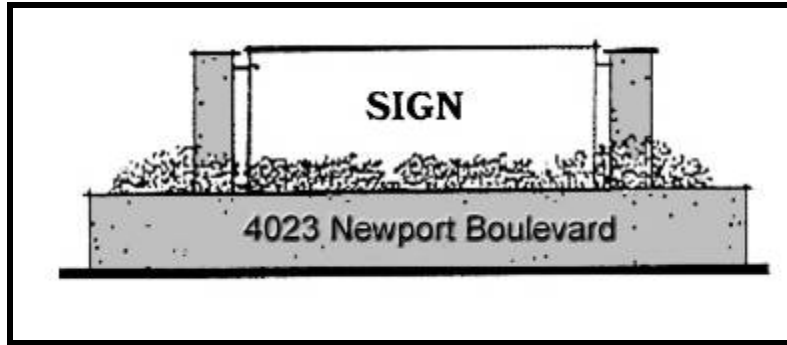


2) Monument Sign

H = height inclusive of the base
W = width exclusive of the base
Maximum $W = 1.5 \times \text{average } H$



3. Freestanding signs shall be set back a minimum of 5 feet from a street or interior property line and a minimum of 10 feet from the edge of a driveway.
4. To ensure the readability of freestanding signs, the minimum letter size allowed shall be 12 inches. Sign copy shall not be located closer than one half-letter height to the sign edge or other line of copy.
5. There shall be a minimum of 50 feet between freestanding signs on adjoining sites to ensure adequate visibility for all signs.
6. Freestanding signs shall be a minimum of 50 feet from a lot line of any residentially zoned property.
7. Freestanding signs shall not block visibility for motorists at intersections or driveways.
8. Freestanding signs shall not project over any building, or over any on-site driveway or vehicle circulation area.
9. The supporting structure of a pylon sign shall not include exposed metal pole(s), but shall be surrounded by a decorative cover that is architecturally compatible with the sign cabinet and the architectural character of buildings on the site.
10. Landscaping with automatic irrigation shall be provided at the base of the supporting structure equal to twice the area of one face of the sign or 75 square feet, whichever is greater. For example, 40 sq. ft. of sign area = 80 sq. ft. of landscaped area. The Planning Director may waive or modify this requirement on a case-by-case basis to take into account existing conditions.
11. Freestanding signs shall contain an address plate identifying the subject property. Numbers shall be a minimum of 6 inches in height and shall be clearly visible from the public right-of-way. Address plates shall not be calculated against the allowed sign area. (See following illustration.)



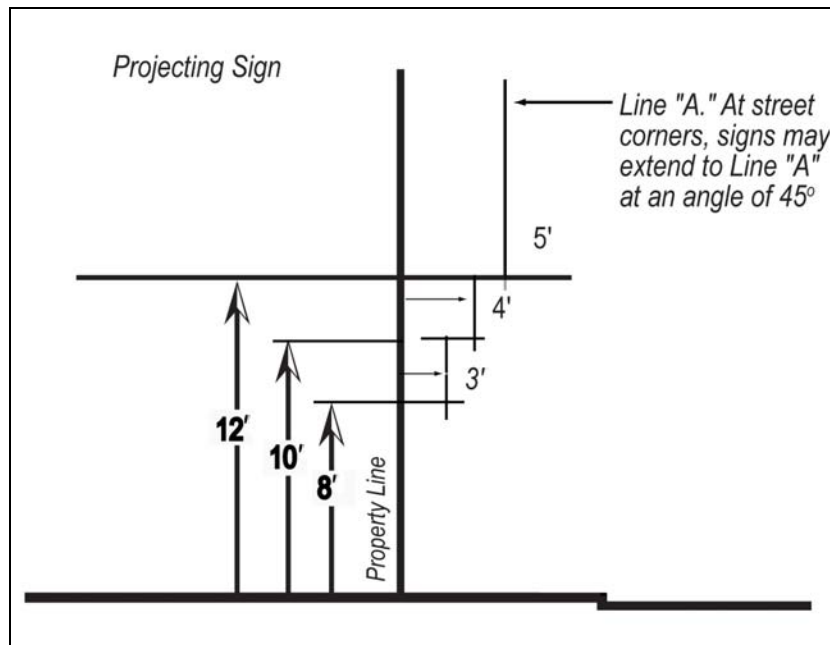
Ground Sign with Appropriate Address

- D. Luminous Tube Signs. The use of luminous tubes for signs shall be allowed in commercial zoning districts only subject to the following requirements.
1. Luminous tube signs shall be UL (Underwriters Laboratories) listed with a maximum 30 milliamps per circuit and be designed to accommodate a dimmer in order to reduce the brightness of the sign.
 2. The manufacturer shall be registered with Underwriters Laboratories.
 3. Tubing shall not exceed one half inch in diameter.
 4. Luminous tube lighting adjacent to residential uses shall not exceed one half footcandle measured at the property line.
 5. Luminous tubes shall not be combined with any reflective materials (e.g., mirrors, polished metal, highly glazed tiles, or other similar materials).
 6. Luminous tube lighting that surrounds a window, door, or similar element is not allowed.
- E. Pedestrian-Oriented Signs.
1. Signs may be placed perpendicular to the building façade (projecting) or mounted flat against the wall near the building entrance.
 2. Supporting arms or frames for projecting signs shall be of a decorative design compatible with the design of the sign.
 3. Double-faced projecting signs shall be considered a single-face sign for the purpose of calculating sign area.

F. Projecting Signs.

1. Signs shall not project more than 5 feet over public property and shall not project to within 2 feet of the curb line. The distance any sign may project over public property or beyond a required setback line is governed by the following table:

Distance Above Sidewalk or Grade Immediately Below Sign.	8'-10'	>10'-12'	>12' and up
Maximum Projection Over Property Line or Building Line.	3'	4'	5'



Maximum Sign Projection

2. The thickness of any portion of a sign that projects over public property or beyond a setback line shall be as follows:

Projection	5'	4'	3'	2'
Maximum Thickness	2'	2'-8"	3'-4"	4'

3. Maximum sign area shall be 20 square feet for a primary frontage and 10 square feet for a secondary frontage.
4. Projecting signs shall provide a minimum vertical clearance of 8 feet above the surface over which they project.
5. Projecting signs shall not project into an alley or parking area more than 3 feet and shall not be less than 14 feet above the surface where vehicles are allowed.
6. Internally illuminated projecting signs shall have opaque face panels so that only the letters, number, symbols, or logos appear illuminated.
7. Projecting signs shall not be closer than 10 feet to another projecting sign or to a freestanding sign or 5 feet from an interior property line or line dividing 2 separate business frontages.
8. Projecting signs shall not project above an apparent eave or parapet, including the eave of a mansard or simulated mansard roof or above the bottom of a third-story window.

G. Projector Sign.

1. A projector sign shall project only upon the property occupied by the associated use or the public right-of-way within 10 feet of the building occupied by the use.
2. The sign area of the projector sign shall be included within the overall allowed sign area for the use.
3. Illumination from the projector mechanism shall not pose a hazard for pedestrians or motorists and shall be screened from view to the maximum extent feasible.

H. Signs On Architectural Projections. The following regulations apply to signs that are located on, attached to, or are an integral part of a projecting architectural feature (e.g., canopy) located not more than 15 feet above street level.

1. Signs may be erected on top of an architectural projection provided the

sign is comprised of three-dimensional letters only that do not exceed 18 inches in height. No internal illumination is allowed.

2. Signs may be attached to the face of an architectural projection provided the sign does not exceed a maximum thickness of 10 inches as measured from the face of the sign to the outer face of the architectural projection and that the letters do not exceed a height of 18 inches. No internal illumination is allowed.
3. The maximum sign area for signs mounted on architectural projections shall be included with other permitted signs identified in Table 1.
4. Signs may be placed below and may be supported by an architectural projection provided the sign shall not exceed 4 feet in length and 16 inches in height. Internally illuminated signs are not allowed. Signs shall not be less than 8 feet above the sidewalk and shall be placed perpendicular to the face of the building.

I. Wall Signs.

1. Signs shall be located only on a designated building frontage and shall not extend above an eave or parapet, or above or below a fascia on which they are located.

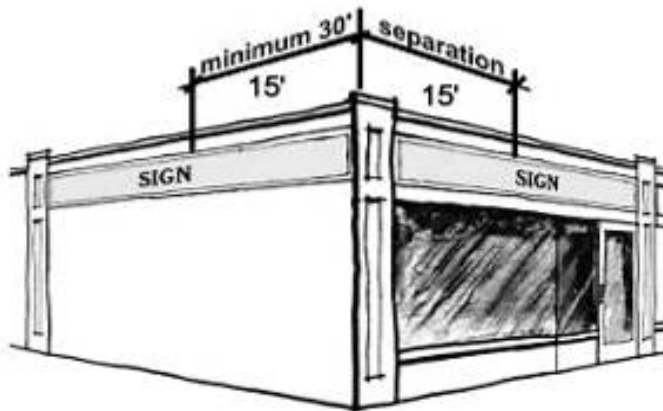


Appropriate Wall Sign Location



Not Allowed

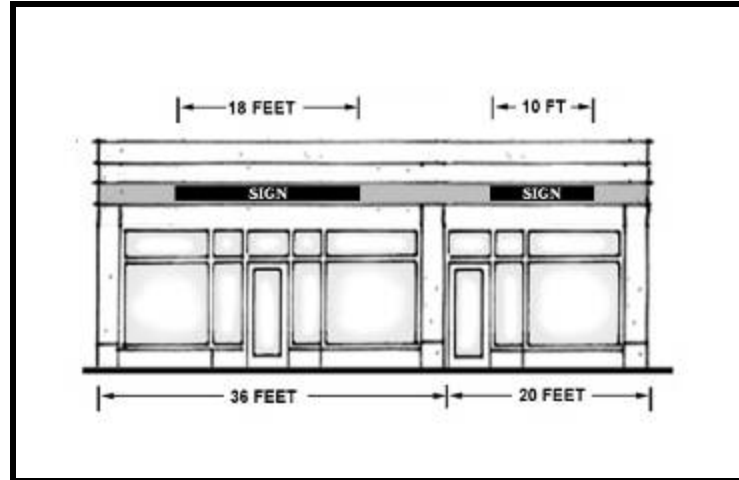
2. Signs located on adjacent walls on the same building shall be separated by a minimum of 30 feet measured along the exterior walls of the building.



Required Separation of Wall Signs

3. Signs may be either internally or externally illuminated. Internally illuminated cabinet signs shall comply with the provisions of Subsection 20.67.060(H) (Illuminated Signs).
4. Electrical raceways shall be integrated with the overall design of the sign to the greatest degree. Raceways shall not extend beyond the outside edges of the sign copy and shall be painted to match the color of the background on which they are placed.
5. Signs shall be placed flat against the wall and shall not project from the wall more than required for normal construction purposes and in no case more than 12 inches.

6. Signs shall be located within the middle 50 percent of the building or tenant frontage measured from lease line to lease line. The Planning Director may waive this requirement where it can be clearly demonstrated that it severely limits proper sign placement.



Appropriate Wall Sign Location

7. Signs attached to the sloping face of hipped/sloped roofs, mansard overhangs, or similar architectural features intended to resemble or imitate roof structures shall require approval of a Modification Permit.

J. Window Signs, Permanent And Temporary.

1. Window signs, including permanent and temporary signs shall not occupy more than 20 percent of the total window area on either a designated primary or secondary building frontage. For the purpose of this requirement, a window is any glazed area, including glass curtain walls.
2. Signs shall be allowed only on windows located on the ground floor and second story of either a designated primary or secondary building frontage.
3. Signs shall be permanently painted or mounted on the inside of windows and doors except for allowed temporary signs.
4. Signs within 5 feet of a storefront window shall be counted as window signs for the purpose of calculating total sign area and number of signs.

K. Miscellaneous Signs.

1. Business directory signs. Multi-tenant buildings are allowed tenant directory signs with a maximum area of 8 square feet each. No

illumination is allowed.

2. Service Station Signs. The following regulations shall be applicable to service stations, in addition to all other provisions of this Chapter.

a. General.

- (1) Signs shall be located so as not to impede vehicular sight distance to the satisfaction of the Traffic Engineer.
- (2) Instructional and warning signs and signs required or authorized by state or federal law shall be exempt from the provisions of this section.

b. Ground Signs.

- (1) Number. One per site.
- (2) Area. Not to exceed 20 square feet; 36 square feet when combined with a fuel price sign.
- (3) Height. Not to exceed 4 feet.
- (4) Additional Regulations. Ground signs shall be located in a landscaped planter with a minimum area equal to the area of the sign.

c. Fuel Price Signs.

- (1) Number. One per street frontage.
- (2) Area. Twelve square feet per sign.
- (3) Height. Not to exceed 4 feet.
- (4) Additional Regulations.
 - (a) Separate fuel price signs shall only be permitted in lieu of the 36-square foot combined ground sign/fuel price sign permitted in this Subsection.
 - (b) Fuel price signs shall advertise the price and grade of fuel only and no other advertising shall be permitted unless in conjunction with a monument as provided in this section.

- (c) Fuel price signs shall be located in a landscaped planter with a minimum area equal to the area of the sign.

d. Wall Signs.

- (1) Number. One per building frontage.
- (2) Area. The area of a wall sign shall not exceed 1 square foot for each lineal foot of building frontage.
- (3) Length. The length of a wall sign may be up to 50 percent of the building frontage, not to exceed 30 feet.

e. Canopy Signs.

- (1) Type. Signs on service station canopies shall be limited to logos only.
- (2) Number. One canopy sign per street frontage.
- (3) Area. The area of a canopy sign shall not exceed 6 square feet.
- (4) Additional Regulations. Canopy signs shall not extend beyond the gable or fascia board of the canopy.

f. Service Island Signs. One sign, not exceeding 4 square feet, shall be permitted on or in front of each end of a service island to identify methods of sale (i.e., self-serve or full-serve).

g. Window Signs.

- (1) Number. One per window.
- (2) Area. No permanent window sign shall cover more than 20 percent of the visible window area.
- (3) Materials. Permanent window signs shall be applied directly to the window surface.

h. Temporary Signs.

Refer to Section 20.67.090 (Standards for Temporary Signs)

20.67.090 Standards for Temporary Signs

- A. Number, Size, And Duration Allowed. Table 2 provides standards under which temporary signs are allowed. Temporary signs are allowed in addition to the number of permanent signs allowed for the property. However, combinations of permanent and temporary window signs shall not cover more than 20 percent of any window. References in the last column provide additional regulations for specific sign types located elsewhere in this Chapter. In the case of an inconsistency between regulations provided in the table and regulations provided for general or specific sign types, the general regulations or regulations for specific sign types shall take precedence.

TABLE 2
TEMPORARY SIGNS

Sign Type	Maximum Number	Maximum Area	Maximum Height	Duration	Additional Requirements
Promotional temporary banners.	1 sign per site, including window signs.	75 sq. ft. for banner, 3 sq. ft. for rigid sign. Window signs, 20% of any window area.	10 ft. or bottom of lowest second floor window.	Up to 4 times per year, not to exceed 60 days total per year.	Subject to all requirements of this Section.
Establishment identification.	One sign per building frontage.	Same as for permanent signs.	Same as for permanent signs.	60 days per calendar year.	Allowed only while permanent signs are being obtained.
Construction project signs. Nonresidential and Residential	1 sign per street frontage, 2 signs maximum	32 sq. ft. per sign in non-residential. 6 sq. ft. in residential	8 ft. in non-residential. 4 ft. in residential	Displayed after issuance of building permit or equivalent; shall be removed after earliest of certificate of completion, certificate of occupancy, or final	Only on the property where construction is taking place and shall not obstruct visibility at intersections.

**TABLE 2
TEMPORARY SIGNS**

Sign Type	Maximum Number	Maximum Area	Maximum Height	Duration	Additional Requirements
				building inspection.	
Restaurant menu signs	1 per restaurant	4 sq. ft. per sign.	5 ft.	During hours establishment is open.	Mounted only on portable easel-type structures; only on property of the establishment within 10 ft of the primary entrance.
Real estate signs for residential and nonresidential properties	Allowed in compliance with Subsection 20.67.090(F) (Real estate signs), below Temporary Sign Permit not required.				
Search lights, Klieg lights	Allowed in conjunction with Special Event Permit.				
Yard sale sign	1 sign per street frontage	3 sq. ft	4 ft.	2 days within a 30-day period.	Shall be placed only on the property where the sale is being held. Allowed in compliance with Subsection 20.67.100(B)(t) (Exemptions to Sign Permit requirement), below.

B. Placement Of Temporary Signs.

1. Signs are allowed on private property only and shall not be placed in public rights-of-way or at off-site locations.
2. Signs may be placed only on building frontages in locations where

permanent signs are allowed.

3. Sign shall not be attached to temporary structures, except restaurant menu signs, which may be attached to easel-like structures.

C. Illumination Prohibited. Signs shall not be illuminated.

D. Durable Materials Required. Signs shall be constructed of durable material suitable to their location and purpose.

E. Removal Of Signs. Temporary signs and their components shall be promptly removed at the expiration of the Temporary Sign Permit.

F. Real Estate Signs.

1. Residential Districts.

- a. Real estate signs are permitted, on a temporary basis, in residential zoning districts, subject to the criteria provided in this Subsection.

(1) In the R-A, R-1, R-1.5, R-2, MFR and PRD Districts, as well as PC Districts that provide for residential uses and contain no specific provisions relative to temporary signs, temporary real estate signs are permitted subject to the following:

- (a) One sign per lot except as provided in Subsections (e) and (f) below;

(i) The sign shall not exceed 216 square inches (1.5 square feet);

(ii) The sign may have one rider not to exceed 94 square inches;

(iii) The sign may include one brochure box not to exceed 154 square inches. For purposes of this section, a brochure box means a plastic or metal container designed to hold brochures or flyers describing or advertising the real property for sale, lease, rent, or exchange;

(iv) The overall height of the installed sign, rider, and brochure box shall not exceed 4 feet above ground unless the sign is

mounted flush to a wall;

- (b) The sign shall be placed on the parcel for sale, lease, rent, or exchange and shall not be installed in a manner that creates a hazard for traffic or pedestrians;
- (c) No flags, pennants, balloons, or other attention-attracting devices shall be displayed;
- (d) The sign shall be removed immediately after the sale, lease, or rental of the property has been consummated;
- (e) One additional real estate sign may be posted during the time an owner or owner's agent is on the premises and the premises are open for inspection, subject to the following:
 - (i) The sign shall not exceed 216 square inches (1.5 square feet) and riders are not permitted;
 - (ii) The sign shall not be installed in medians or anywhere within the traveled way of any street or highway, nor installed in a manner that creates a hazard to traffic or pedestrians; provided, however the sign may be installed on or in a vehicle parked on the street adjacent to the property for sale, lease, rent or exchange if there is no feasible way of installing the sign on private property due to absence of front yard setback or other conditions;
 - (iii) The overall height of the sign shall not exceed 4 feet above ground unless the sign is installed on a vehicle as provided in the paragraph above; or other conditions exist that require the sign to exceed 4 feet to be reasonably visible from the street; however, in no event shall the sign be higher than necessary to be reasonably visible from the street;
- (f) In addition to the real estate sign permitted in

Subsection (e), above, 3 off-site signs are permitted when the owner or owner's agent is on the premises and the premises are open for inspection, subject to the following:

- (i) Each off-site real estate sign shall not exceed 216 square inches (1.5 square feet) and riders are not permitted;
- (ii) The overall height shall not exceed 4 feet above ground;
- (iii) The sign shall not be installed before 8:00 a.m. and shall be removed no later than sunset;
- (iv) The sign shall not be installed in medians or anywhere within the traveled way of any street or highway, nor installed in a manner that creates a hazard to traffic or pedestrians. The sign shall not be attached to any public property.

b. All Residential Districts. Residential properties shall be permitted one real estate sign not exceeding 20 square feet in area that advertises the first sale of structures and/or lots in any district for a period of time not to exceed one year following the recordation of the final subdivision map.

2. Commercial and Industrial Districts. Commercial and industrial properties shall be permitted one temporary real estate sign not exceeding 20 square feet in area that advertises the sale, rental or lease of the premises upon which the sign is located. Permanent installations of real estate signs shall be subject to the sign standards for permanent signs in this Chapter for commercial, office, and industrial zones.

20.67.100 Procedures for Sign Approval, Exemptions, and Revocations

A. Sign Permits.

1. Sign Permit Required (including Temporary Signs).

- a. To ensure compliance with the regulations contained in this Chapter, a Sign Permit shall be required in order to erect, move, alter, change copy on, or reconstruct any permanent or temporary

sign or sign structure except for signs exempt from permits in compliance with Subsection B, below. Sign Permits are also required for signs approved through a Comprehensive Sign Program as provided in Section 20.67.120. An application for a Sign Permit shall be made in writing on standard official forms furnished by the Planning Department.

2. Approving Authority. Sign Permits, including those for temporary signs shall be issued under the direction of the Planning Director when they comply with the provisions of this Chapter. The Planning Director shall review all Sign Permit applications for conformance with the provisions of this Chapter.
 - a. For signs that comply with the provisions of this Chapter and do not require discretionary review:
 - (1) The Planning Director shall issue or deny the permit to the applicant within 90 days from the receipt of a complete application and the applicable fees.
 - (2) Failure of the Planning Director to approve or deny the permit within the 90 days shall result in the permit being granted.
 - (3) If the application is denied, the Planning Director shall notify the applicant with the reason(s) stated for denial. Notification shall be sent first class United States mail to the address provided on the license application that shall be considered the correct address. Each applicant has the burden to furnish any change of address to the Planning Director, by United States certified mail, return receipt requested.
 - (4) In the event an application is denied, the applicant may appeal the Planning Director's decision in compliance with the provisions of Section 20.95 of this Chapter.
 - b. Annual Approval of Promotional Temporary Sign Permit. The Planning Director shall approve a Temporary Sign Permit for a temporary promotional banner on an annual basis that allows the applicant to tailor the duration and the number of days allowed under the permit to meet the particular needs of the establishment as long as the total number of days that the sign is allowed does not exceed 60 days per calendar year.

- B. Exemptions to Sign Permit Requirement. Sign Permits shall not be required for

the signs exempted in this Section. Exempt signs shall not be included in the determination of the total allowable number of signs or total allowable sign area for a site or project. However, exempted signs shall be required to adhere to the regulations established for each sign type. Signs erected without complying with the applicable regulations are considered illegal and may be removed in compliance with Section 20.67.160 (Illegal Signs). An exempt sign may still require a Building Permit, subject to the provisions of Chapter 15.16.

1. On-Site, Non-Illuminated Signs. The following on-site, non-illuminated signs shall not require issuance of a Sign Permit:

- a. Accessory Signs. Small window signs indicating hours of operation or that an establishment is “Open” or “Closed” for business, limited to a maximum of 2 square feet in area for all accessory signs. No more than three signs per establishment frontage. Accessory window signs shall not be included in permanent window sign area calculations, except if illuminated.
- b. Building Markers. Commemorative plaques, tables, date of construction, and similar signs when carved in stone, concrete, or similar materials or made of bronze, aluminum, or other similar permanent material. Signs shall not exceed 2 square feet in area.
- c. Bulletin Boards. Bulletin boards for any legal, noncommercial establishment, when located on the premises of the establishment and not over 12 square feet in area.
- d. Construction Project Signs. Subject to the limits on size and display duration of 20.67.090 (Standards for Temporary Signs), Table 2 (Temporary Signs).
- e. Change Of Copy. Changing the copy in changeable copy signs in existence as of the date of adoption of this Chapter, or approved through the Comprehensive Sign Program.
- f. Flags. Flags bearing noncommercial messages or graphic symbols, and flags bearing on-site commercial messages or graphic symbols, shall not require the issuance of a Sign Permit, subject to the following restrictions:
 - (1) Flags bearing commercial messages shall not be displayed in residential zones.
 - (2) A maximum of three flags may be displayed on any single parcel. However, only one flag bearing an on-site

commercial message may be displayed on each parcel in nonresidential zones.

- (3) No single flag shall exceed 40 square feet in area. The aggregate area of all flags displayed on any single parcel shall not exceed 72 square feet. For purposes of determining flag size, only one side of the flag shall be counted as a display surface.

- g. Gasoline Pump Signs. Shall be consistent with Section 20.67.080(K)(2) (Service Station Signs).
- h. Government Signs. A sign erected by a federal, state, county, agency, or the City.
- i. Holiday Window Painting. Signs and decorations painted on or applied to windows pertaining to holidays and seasonal events when the signs contain no reference to the goods or services sold or provided by the establishment. All signs and/or decorations shall be removed within 10 days following the applicable holiday.
- j. Incidental Signs. Signs or notices that are incidental to an establishment (e.g., hours of operation, credit card information, emergency contact information, etc.) provided the signs do not exceed 4 square feet in area for all such signs.
- k. Official Signs. Official and legal notices required by a court or governmental agency.
- l. Portable Parking Lot And Valet Parking Signs. One freestanding portable sign at each parking lot entrance limited to 10 square (2'x5') feet in area. Sign shall not cause hazard to driver visibility or pedestrian movement. Subject to the approval of a valet parking plan.
- m. Public Service Signs. Signs of utilities or other publicly regulated service providers indicating danger, and aids to service or safety, including official advisory and signal flags.
- n. Real Estate Window Listing. A real estate office may place its listing(s) in a front window provided the gross area occupied by the listing(s) do/does not cover more than 50 percent of the window.
- o. Residential Signs. Up to 3 noncommercial signs, with a maximum total sign area of 6 square feet and a maximum height of 4 feet.

- p. Restaurant Menu Signs. Restaurant menu signs not exceeding 4 square feet.
 - q. Site Address. Limited to one per street frontage subject to the following standards:
 - (1) The total aggregate sign area shall not exceed 72 square inches. Individual numbers and letters shall not exceed a height of 8 inches.
 - (2) The sign shall be placed in an area adjacent to or near the primary entrance of the structure or property frontage and face the street curb in front of the structure.
 - r. Temporary Real Estate Signs. Real estate signs in compliance with Section 20.67.090(F) (Real estate signs).
 - s. Vehicle-Oriented Directional Signs. Signs solely for the purpose of guiding traffic, parking, and loading on private property subject to approval by the Public Works Department. One safety or directional sign for each vehicle entry to a site with a maximum area of 3 square feet per sign. Maximum sign height shall be 4 feet. Additional signs may be allowed with approval of a Comprehensive Sign Program.
 - t. Yard Sale Signs. Subject to the limits on size and display duration of 20.67.090 on Table 2 (Temporary Signs)
2. Routine Maintenance. Painting, repainting, or cleaning of a sign shall not be considered erecting or altering a sign, and therefore shall not require a Sign Permit, unless structural changes are made.
- C. Revocation of Sign Permit. The Planning Department may, in writing, suspend or revoke a Sign Permit issued under the provisions of this Chapter if the permit was issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any of the provisions of this Chapter.

20.67.110 Modification Permit

- A. Applicability. The Zoning Administrator may grant a Modification Permit in compliance with the provisions of Section 20.93 (Modifications Permits) to allow deviations to the height, type, location, number, and area of signs.
- B. Required Findings. In order to grant a Modification Permit, the Zoning

Administrator shall find that the granting of a Modification Permit:

1. Is necessary due to practical difficulties associated with the property, and the strict application of the Zoning Code would result in physical hardships that are inconsistent with the purpose and intent of the Zoning Code, and
 2. The result of the requested modification will be compatible with the existing development(s) in the area, and
 3. The granting of the Modification Permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the property, and not be detrimental to the general welfare or injurious to property or improvements in the neighborhood.
- C. Appeals. Actions of the Zoning Administrator may be appealed to the Planning Commission in compliance with the provisions of Chapter 20.95. (Appeals).

20.67.120 Comprehensive Sign Program

- A. Purpose. The purpose of a Comprehensive Sign Program is to integrate all of a project's signs, including a project identification sign with the overall site design and the structures' design into a unified architectural statement. A Comprehensive Sign Program provides a means for the flexible application of sign regulations for projects that require multiple signs in order to provide incentive and latitude in the design and display of multiple signs and to achieve, not circumvent, the purpose of this Chapter.
- B. Applicability. The approval of a Comprehensive Sign Program shall be required whenever any of the following circumstances exist.
1. Whenever 3 or more separate tenant spaces are present on the same parcel;
 2. Whenever 3 or more non-exempt signs are proposed for a single-tenant development;
 3. Whenever signs are proposed to be located on or above the second story on a multi-story building.
 4. Whenever a project or parcel has more than 300 linear feet of frontage on a public street.
 5. Whenever an existing multi-tenant development of 3 or more tenants is being remodeled or rehabilitated to the extent that the value of the work will be greater than 20 percent of the replacement cost of the building; or

6. Theater Signage. A Comprehensive Sign Program for a theater or cinema use may authorize signs that deviate from the standards of this Chapter. The Comprehensive Sign Program may allow marquee signs, brighter lights, and design features not otherwise authorized by this Chapter if the sign is generally consistent with the adopted sign design guidelines and the purposes of this Chapter. Approval shall not be based on message content.
 7. Whenever the Planning Director determines that a Comprehensive Sign Program is needed because of special project characteristics (e.g., the size of proposed signs, limited site visibility, a business within a business, the location of the site relative to major transportation routes, etc.).
 8. A Comprehensive Sign Program shall not be used to override the prohibition on new billboards set forth in Section 20.67.030(F) of this Chapter.
- C. Approval Authority And Limitation. The Zoning Administrator is the approving authority for a Sign Permit for a Comprehensive Sign Program. The Zoning Administrator shall not approve an increase in sign height by more than 20 percent above that allowed or an increase in sign area by more than 30 percent above that allowed. Increases above the limits provided above may be allowed with the approval of a Modification Permit.
- D. Application Requirements. A Sign Permit application for a Comprehensive Sign Program shall include all information and materials required by the Planning Director, and the filing fee set by the City Council's fee resolution.
- E. Standards. A Comprehensive Sign Program shall comply with the following standards:
1. The proposed sign program shall comply with the purpose and intent of this Chapter, any adopted sign design guidelines and the overall purpose and intent of this Section;
 2. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable;
 3. The sign program shall address all signs, including permanent, temporary, and exempt signs.
 4. The sign program shall accommodate future revisions that may be required because of changes in use or tenants;

5. The program shall comply with the standards of this Chapter, except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter; and
 6. Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter.
 7. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.
- F. Revisions to Comprehensive Sign Programs. The Planning Director may approve revisions to a Comprehensive Sign Program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new/revised Comprehensive Sign Program by the Zoning Administrator.

20.67.130 Innovative Sign Program

- A. Purpose. The purpose of the Innovative Sign Program is to:
1. Encourage signs that are unique in their design approach and use of materials; and
 2. Provide a review process for the application of sign regulations to innovative signs.
- B. Applicability. An applicant may request approval of a Sign Permit under the Innovative Sign Program to authorize an on-site sign or signs that differ from the provisions of this Chapter but comply with the purpose of this Chapter and Section.
- C. Approval Authority. A Sign Permit application for an Innovative Sign shall be subject to approval by the Planning Commission.
- D. Application Requirements. A Sign Permit application for an Innovative Sign shall include all information and materials required by the Planning Director, and the filing fee set by the City Council's fee resolution.
- E. Design Criteria. In approving an application for an Innovative Sign, the Planning Commission shall ensure that a proposed sign or signs meets the following design criteria:

1. Design Elements. The sign shall contain at least one of the following elements:
 - a. Classic historic design style (ghost sign, metal, carved wood, etc.);
 - b. Creative image reflecting current or historic character of the City;
 - c. Symbols or imagery relating to the beach, ocean recreation, fishing, maritime industry, and/or the related business; or
 - d. Inventive representation of the use or name/logo of the business.
2. Architectural Criteria. The sign shall:
 - a. Utilize and/or enhance the architectural elements of the building; and
 - b. Be placed in a logical location in relation to the overall composition of the building's facade and not cover any key architectural features/details of the façade.
3. Contextual Criteria. The sign shall:
 - a. Be in scale and proportion with the structure where it is placed;
 - b. Be placed to respect and enhance the key architectural elements of the building; and
 - c. Respect the scale and proportion of surrounding commercial structures and signs.

F. Limitation. Approval of an Innovative Sign Program shall not:

1. Authorize the use of signs prohibited by this Chapter;
2. Authorize any sign that is more than 20 percent larger than it could have been without the owner's participation in the Innovative Sign Program; or
3. Authorize any sign based on an evaluation of the message displayed.

G. Revisions to Innovative Sign Programs. The Planning Director may approve revisions to an Innovative Sign Program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new/revised Innovative Sign Program by the Planning Commission.

20.67.140 Nonconforming Signs

- A. Removal Of Certain Types Of Nonconforming Signs. The following nonconforming signs shall be removed or altered to be conforming within 15 years of the effective date of this section, unless an earlier removal is required by the provisions of subsection B, below.
1. Roof signs.
 2. Pole signs.
 3. Internally illuminated signs with a translucent face.
 4. Signs with letters, text, logos, or symbols taller than permitted by this Chapter.
 5. Signs that exceed 75 square feet in total sign area.
- B. Removal Of Nonconforming Signs. Nonconforming signs shall be removed if:
1. The nonconforming sign is more than 50 percent destroyed, and the destruction is other than facial copy replacement. A nonconforming sign shall be deemed to be more than 50 percent destroyed if the estimated cost of reconstruction exceeds 50 percent of the replacement cost as determined by the Building Official.
 2. The nonconforming sign is remodeled, unless the sign is remodeled to comply with the provisions of this Chapter.
 3. The nonconforming sign is located on a building that is enlarged or expanded, if the nonconforming sign is affected by the construction, enlargement, remodel, or expansion. An enlargement, remodel, or expansion of the portion of the building upon which the nonconforming sign is located or that is more than 50 percent of the building area shall be deemed to affect the nonconforming sign.
 4. The nonconforming sign is temporary.
- C. Deactivation Of Flashing Features. The owner of a sign that contains flashing features shall permanently deactivate the flashing features.
- D. Continuance Of Nonconforming Signs. Except as provided in 20.67.140 subsections A and B, a nonconforming sign may be continued and shall be maintained in good condition as required by these regulations, but it shall not be:
1. Structurally changed to another nonconforming sign, although its copy and pictorial content may be changed.

2. Structurally altered to prolong the life of the sign, except to meet safety requirements.
 3. Expanded or altered in any manner that increases the degree of nonconformity.
- E. Repairing And Repainting. Nonconforming signs shall only be painted and repaired in place and shall not be removed from their existing location, except for building remodeling, unless removal of the sign for painting or repair is part of the sign's customary maintenance and repair.
- F. Change Of Business Ownership. Upon a change of ownership, the new owner of a nonconforming sign may change the name or names on the sign so long as there is no change in the structure or configuration of the sign.

20.67.150 Abandoned Signs

- A. Removal Of Abandoned Signs.
1. An abandoned sign or an abandoned nonconforming sign shall be immediately removed by the owner or lessee of the premises upon which the sign is located or by a person, organization, or other entity that directly or indirectly receives a benefit from the information contained on the sign.
 2. A sign frame or structure that has been abandoned shall be immediately removed by the owner or lessee of the premises upon which the sign frame or structure is located.
- B. Presumption That A Sign Is Abandoned. A sign that identifies or advertises a business that has ceased; is located upon a structure that has been abandoned by its owner; has not identified a bona fide business, lessor, service, owner, product, or activity available upon the site, for more than 90 days; or that has not been removed within 30 days after the occurrence of the event or activity, shall be presumed abandoned.
- C. Notice That A Sign Is Presumed Abandoned. The Planning Director shall send a person responsible for a sign presumed to be abandoned an Abandoned Sign Notification. Failure of the person to respond within 30 days to the Abandoned Sign Notification shall serve as prima facie evidence of intentional permanent abandonment of the sign.

20.67.160 Illegal Signs

- A. General Prohibition. It is unlawful for any person to erect, place, post, construct, reconstruct, alter, maintain, or move or allow any person to erect, place, construct, reconstruct, alter, maintain, or move any sign that does not comply with the provisions of this Chapter.
- B. Strict Liability. Violations of this chapter shall be treated as a strict liability offense regardless of intent.
- C. Illegal Signs Identified. The following signs are illegal and declared to be a public nuisance:
 - 1. A sign erected, placed, posted, constructed, reconstructed, altered, maintained, or moved after the effective date of this Chapter that does not comply with any provision of this chapter.
 - 2. A sign that was erected, placed, posted, constructed, reconstructed, altered, maintained, or moved prior to the effective date of this Chapter that failed to comply with all regulations in effect at the time the sign was erected, placed, posted, constructed, reconstructed, altered, maintained, or moved.
 - 3. A nonconforming sign that is required to be removed or altered by Section 20.67.140 subsections A and B, which is not removed or altered in compliance with Section 20.67.140 subsections A and B.
 - 4. Signs with flashing elements that are not deactivated.
 - 5. An abandoned nonconforming sign.
 - 6. An abandoned sign.

20.67.170 Maintenance Requirements

- A. Maintenance Of Signs Required. All types of signs, together with their supports, braces, guys, and anchors shall be properly maintained at all times with respect to safety, appearance, and structural and electrical features.
- B. Proper Maintenance Identified. Display surfaces shall be kept clean and neatly painted and repaired at all times, and there shall be no missing or damaged messages, graphics, or structural elements, or portions thereof. Signs shall be refinished to remove rust or other corrosion due to the elements as necessary. Faded, cracked, or broken faces or surfaces, and malfunctioning lamps shall be replaced immediately. Awnings that have signs shall be cleaned periodically and replaced if they become faded, tattered, or ripped.

C. Administrative Procedures Applied To Signs That Are Not Maintained. Signs that are not properly maintained shall be subject to the following administrative procedures:

1. Notice of violation shall be sent by first class United States mail to last known address of sign owner and/or property owner, informing owner of time in which removal of sign or repair of condition shall be accomplished.
2. If the owner fails to remove sign or repair the condition, City shall send final notice by certified United States mail, return receipt requested, and by first class United States mail, notifying owner that failure to remove or repair the sign within 30 days shall result in the issuance of an Administrative Citation, in compliance with the provisions of Title 1 and Title 20 of the Municipal Code.
3. If the owner does not remove the sign or repair the condition within the 30-day period, an Administrative Citation shall be issued at the end of the 30-day period.

D. Hazardous Signs. If a sign is damaged or not properly maintained to a degree that causes it to pose a physical danger to persons or property, the following provisions shall apply:

1. Hazardous Signs Identified. A hazardous sign is a sign that poses a danger to the public or that could create a potential hazard. Hazardous signs are declared to be a public nuisance in compliance with Sections 1.04.020 and 10.50.020(I) of the Municipal Code.
2. Removal Of Hazardous Signs. Upon discovering a hazardous condition, the City may cause the immediate removal of a sign that is a danger to the public due to unsafe conditions. The determination that a sign has become hazardous or unsafe shall consider only the physical condition and characteristics of the sign, and shall not consider the message thereon. No hearing shall be required for the removal of hazardous signs. The City is not required to give notice of intent to remove the sign prior to removal, but shall inform the owner that the hazardous sign has been removed within seven days of removal, by certified United States mail, return receipt requested and by first class United States mail.
 - a. Signs removed in compliance with this Section shall be stored for 30 days, during which time they may be recovered by the owner upon payment to the City for costs of removal and storage. If not recovered within the 30-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the City. The costs of removal and storage (up to 30 days) may be billed to the owner. If not paid, the applicable costs may be imposed as a tax lien against the property.
3. Penalties. Hazardous signs shall also be subject to the administrative remedies of the Municipal Code, including Section 10.50.020 and Sections 1.04 and 1.05.
4. Recovery Of Costs. When the City is required to remove a hazardous sign, the

reasonable cost of the removal and storage may be assessed against the owner of the sign(s) and/or the property owner. If not paid, the applicable costs may be imposed as a tax lien against the property. Notice of the imposition of the tax lien shall be sent to the owner of the property by certified United States mail, return receipt requested, as well as by first class United States mail.

20.67.180 Heritage Signs

- A. Designation Of Heritage Signs. The designation of a sign as a heritage sign is intended to allow nonconforming signs that otherwise would be required to be removed in compliance with Section 20.67.140 (Nonconforming Signs) of this Chapter to remain if the sign or the establishment associated with the sign are determined to have historical or local identity significance to the City of Newport Beach in compliance with the standards established in this Section.
- B. Application And Review Authority. Application for heritage sign status may be submitted by the business owner, property owner, or City for review by the Planning Commission. The Planning Commission shall review all applications and approve or disapprove heritage sign status in compliance with this Section.
- C. Heritage Sign Criteria. The Planning Commission may designate a sign as a heritage sign if the sign is the type of sign that would be subject to removal as a nonconforming sign and the sign meets both the following criteria:
 - 1. Historically Significant. A sign is historically significant if the sign was erected or created at least 35 years ago and is either representative of a significant sign-making technique or style of a historic era or represents entities or establishments that are an important part of Newport Beach history.
 - 2. Visually Significant. The sign is visually significant in at least two of the following regards:
 - a. The sign possess a uniqueness and charm because it has aged gracefully.
 - b. The sign remains a classic example of craftsmanship or style of the period when it was constructed and uses materials in an exemplary way.
 - c. The sign compliments its architectural surroundings or is particularly well integrated into the structure.
 - d. The sign is an inventive representation of the use, name, or logo of the building or business.

- D. Procedure For Designation Of Heritage Signs. The Planning Director shall review each application for heritage sign status on a case-by-case basis to assess whether the sign meets the criteria for designation as a heritage sign. Based on this review, staff shall prepare findings and recommendations to the Planning Commission regarding their assessment and the application's merit regarding the designation. The Planning Commission shall review staff findings and recommendations at a noticed public hearing.

The Planning Commission may direct staff to undertake additional analysis to assess whether a sign should receive heritage sign status. The Planning Commission may also direct staff to undertake additional analysis of any sign already designated as a heritage sign. Staff's additional analyses and recommendations shall be available for public review and comment prior to the Planning Commission's subsequent meeting for review and action on a heritage sign.

Upon due consideration of staff's findings and recommendations plus all public testimony and comment, the Planning Commission may approve or deny designation of heritage sign status.

- E. Alteration Of Heritage Signs. Designated heritage signs may be not be physically altered except for routine cleaning and general maintenance. Cleaning and maintenance shall be consistent with the preservation of the character or defining features of the sign in all respects. A designated heritage sign may be removed if desired. If a designated heritage sign is removed, its heritage status shall be revoked. If the character or defining features of a designated heritage sign are altered, its designation as a heritage sign shall be revoked and the sign shall be removed. Where applicable, the sign may be modified to conform to the requirements of this Chapter.